

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

August 3, 2000

CASE NO: TE-2000-658

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the 1999 Annual Reports)
of TCG St. Louis, Inc.) Case No. TE-2000-658

ORDER GRANTING CONFIDENTIAL TREATMENT AND LATE FILING

Pursuant to Commission Rule 4 CSR 240-10.080(1), "[a]ll public utilities subject to the jurisdiction of the Missouri Public Service Commission shall file an annual report with the commission on or before April 15 of each year."

On April 17, 2000, TCG St. Louis, Inc. (TCG) filed its request to file its annual report under seal and for an extension of the time for filing an annual report. TCG stated that it does business as AT&T Local Services and is a competitive local exchange company providing competitive telecommunications in Missouri.

TCG requested that all portions of the annual reports containing statements of the number of Missouri access lines that it serves and statements of cash flows, balance sheets, and income statements, be filed and maintained under seal as a proprietary document. TCG stated that it had good cause for this request in that it considers the business and financial information confidential. TCG stated that public disclosure of the business and financial information would be competitively harmful to it in that it could be used by TCG's competitors to determine the extent of TCG's network facilities, operating expenses, revenues, customer base,

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and other competitively sensitive information, which would be to the detriment of TCG. TCG also stated that the information which it was requesting to be sealed is not publicly available and that the Commission had previously granted similar requests by TCG. TCG also requested that the Commission grant it an extension of time to file its annual reports until such time as the Commission can consider TCG's request to file its annual reports under seal.

TCG requested that the Commission grant its request to file and maintain its annual report under seal pursuant to Commission Rule 4 CSR 240-10.080(7) and grant its request for an extension of time to file its annual report pursuant to Commission Rule 4 CSR 240-10.080(8).

On July 18, 2000, the Staff of the Commission (Staff) filed a recommendation that: (1) TCG be given thirty (30) days after the date of this order to file its annual report; (2) TCG's request for confidential treatment of the balance sheet, income statement, statement of cash flows and number of access lines contained in its 1999 annual report be granted until April 15, 2001, and after that date transferred to the public record unless TCG makes a showing that the information should remain confidential; and (3) TCG shall file both a public and a highly confidential version of its annual reports with a copy of this order attached to the public version, which version should have asterisks appearing in the spaces on the affected pages, along with a notation at the bottom of each page, stating that the asterisks denote highly confidential material has been filed under seal.

Neither TCG nor the Office of the Public Counsel responded to Staff's recommendation.

Upon review of TCG's motion, the official case file, and Staff's recommendation, the Commission finds that there is good cause shown for the request to protect confidential information in that TCG considers its business and financial information confidential, that disclosure of the confidential information would be harmful to TCG, and that the request to protect the confidential information made by TCG substantially complies with the above-cited rules. Therefore, confidential treatment for those portions identified as confidential of the annual report filed by TCG in the year 2000 should be granted.

The Commission notes that April 15, 2000, was on a Saturday; thus, the filing deadline under the rule was, in essence, actually the next Monday, which was April 17, 2000. The Commission thus also finds that there is good cause to extend the filing date of the annual report for TCG since it applied for an extension of time before the filing deadline. Therefore, an order allowing TCG to file out of time should also be granted.

IT IS THEREFORE ORDERED:

1. That TCG St. Louis, Inc. shall be given until no later than September 5, 2000, to file its annual report.
2. That TCG St. Louis, Inc.'s request for confidential treatment of the balance sheet, income statement, statement of cash flows and number of access lines contained in its 1999 annual report shall be granted until April 15, 2001, and after that date transferred to the public

record unless TCG St. Louis, Inc. makes a showing in writing before that date that the information should remain confidential.

3. That TCG St. Louis, Inc. shall file both a public and a highly confidential version of its annual report with a copy of this order attached to the public version, which version should have asterisks appearing in the spaces on the affected pages, along with a notation at the bottom of each page, stating that the asterisks denote highly confidential material has been filed under seal.

4. That this order shall become effective on August 14, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 3rd day of August, 2000.

**STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 3rd day of Aug. 2000.**

Dale Hardy Roberts

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

